

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CYNTHIA DELUCA, DELUCA'S
AUTO REPAIR AND TOWING,
INC.,

Plaintiffs,

v.

CITY OF HAZLETON, HAZLETON
POLICE DEPARTMENT, FRANK V.
DEANDREA, JR., and JOSEPH
YANNUZZI,

Defendants.

NO. 3:15-CV-02475

(JUDGE CAPUTO)

ORDER

NOW, this 4th day of June, 2019, **IT IS HEREBY ORDERED** that:

- (1) The Motion for Summary Judgment (Doc. 59) filed by the City of Hazleton and Joseph Yannuzzi is **GRANTED in part and DENIED in part**.
 - (A) The Motion (Doc. 59) is **GRANTED** with respect to Plaintiffs' due process (Counts IV-V), commercial disparagement (Count VIII), and defamation (Count IX) claims.
 - (B) The Motion is **DENIED** in all other respects
- (2) The matter is removed from this Court's June 2019 trial list and placed on this Court's **October 2019** trial list. A pretrial scheduling order will follow in due course.

/s/ A. Richard Caputo

A. Richard Caputo
United States District Judge